

# EXHIBIT 6

U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives

# Report of Investigation

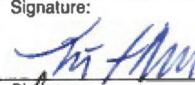
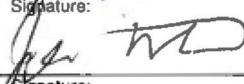
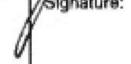
Title of Investigation: SIMON, Ellourth Eladio aka "Negro"	Investigation Number: 784015-21-0042	Report Number: 46
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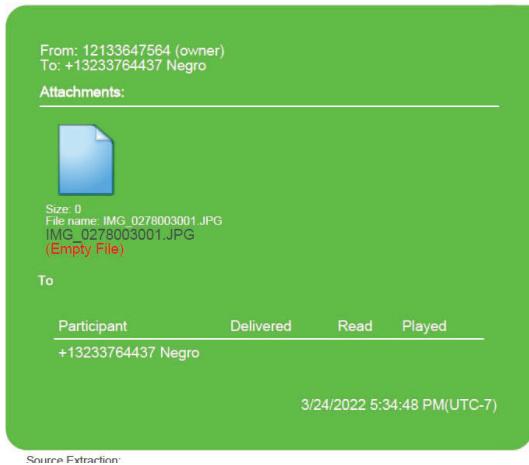
## SUMMARY OF EVENT:

**FORENSIC DOWNLOAD REVIEW:** Special Agent (SA) Timothy Holden with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) received a search warrant, 2:22-MJ-03186, to take possession of and search the cellular telephone belonging to William Nirion PENA aka "Twist" (DOB: [REDACTED] 1982; FBI: [REDACTED]).

## NARRATIVE:

1. On August 25, 2022, Computer Forensic Examiner, Randy Mitchell, completed a full Cellebrite Premium file extraction and recovered the device's passcode of "120929". The device was identified as Samsung Galaxy S21 Ultra 5G SM-G998U, bearing telephone number: 1-213-364-7564, Serial Number: R5CR91TJKHX, and IMEI: 350121672354925. For further details, reference the attached Mobile Extraction Report.
2. On September 9, 2022, SA Holden began searching through the forensic copy (ATF Exhibit #119) of PENA's phone and found the following list of phone numbers engaging in conversation with PENA about firearms sales. Due to the large files of the conversations, each file was extracted from the forensic copy and burned to a CD to be used as the attachments. A digital copy of the files was also provided to Assistant United States Attorney David Kowal. Below is a summary of some but not all of the conversations. Please note that while reviewing the extraction, it appears many of the photographs on the device were deleted and unable to be recovered by the extraction, these deleted photos are referenced as "unknown picture(s)" in this report. The image below depicts how the picture is shown in the mentioned pdf reports.

Prepared by: Timothy J. Holden	Title: Special Agent, Los Angeles I Field Office	Signature: 	Date: 10/3/22
Authorized by: Jarett J. MacMaster	Title: Resident Agent in Charge, Los Angeles I Field Office	Signature: 	Date: 10/31/22
Second level reviewer (optional): Monique Y. Villegas	Title: Special Agent in Charge, Los Angeles Field Division	Signature: 	Date: 10/31/22



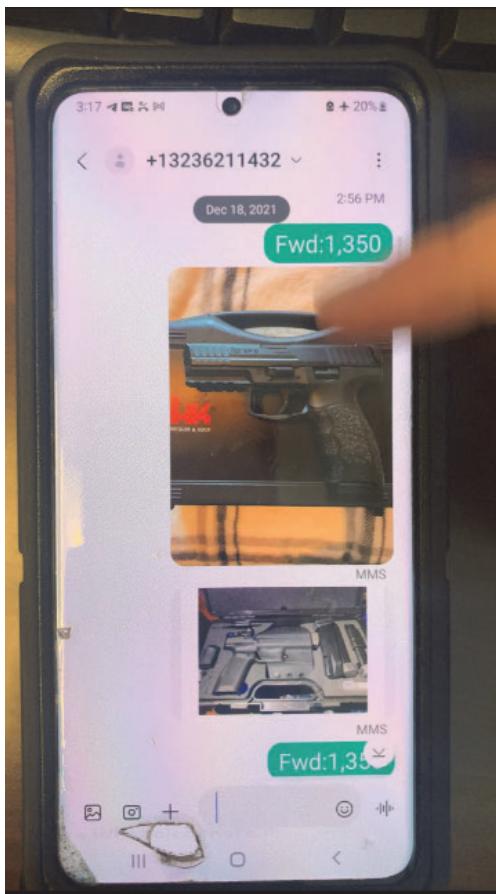
3. The following is a short summary of a text message exchange between PENA and telephone number, 213-644-5041 (File 213.644.5041) or FNU LNU 1.
  - a. On January 21, 2022, (page 1 of pdf) PENA states, “Sup my boy it's Josh primo, let's make money what you got for sale I need toys” (“toys” is street vernacular for firearms). FNU LNU 1, responds “Ok can I send pics to this number?”
  - b. On January 31, 2022, (page 4 of pdf), FNU LNU 1, sends PENA an unknown picture. PENA states “How much”. FNU LNU 1 responds “Glock 23 40 cal”, “\$1200”, and “Comes wit the 2 clips and 50 round drum”. PENA responds, “K let me pass it out”. FNU LNU 1 stated “I only get 1 or 2 at the time maybe 3”, PENA replied, “Okay well let me kno plz these ppl buy 8 and up and one of my other guys wants a super 38 colt 1911”.
  - c. On February 4, 2022, (page 8 of pdf) FNU LNU 1 stated, “I still have these 2” and sent an unknown picture with the caption “STYER 9MM IT HOLDS 15 SHOTS PRICE \$1100”. FNU LNU 1 sent another picture with the caption “STEALTH 9MM”. PENA later replied, “Okay those two no one wants them but the 380 sig yes and a super 38 1911 they want” FNU LNU 1 asked PENA “How about any FN 5'7” and “Or RUGER 5'7”. PENA replied “Sen me pics and prices”
  - d. On February 8, 2022, PENA stated, “Sup bro any luck on the pics for the 5.7 and the 38 super”, FNU LNU 1 replied “What's up bro nothing at the moment”.
  - e. On February 15, 2022, (page 14 of pdf) FNU LNU 1 stated, “I got a Kimber micro 9 Bel air special edition”, “9mm”, and sent an unknown picture. PENA replied, “How much”, FNU LNU 1 stated, “\$1500”, and “It comes with 50 rounds”. FNU LNU 1 asked “Do u like Glocks?”, PENA replied, “And are you gonna save it or leave me hanging like the 380 cus if you are I don't want to do business like that cus I deal with big dog”. PENA and FNU LNU 1 continue to discuss the sale of firearms from pages 20 to 35 of the pdf.
  - f. On February 16, 2022, (page 36 of PDF) FNU LNU 1 stated, “I actually don't want cash I'm down to trade for bud”, PENA replied, “How much you looking for ?”, “I got access to weed

shops. From pages 36 to 42 of the pdf, PENA and FNU LNU 1 discuss trading marijuana for firearms.

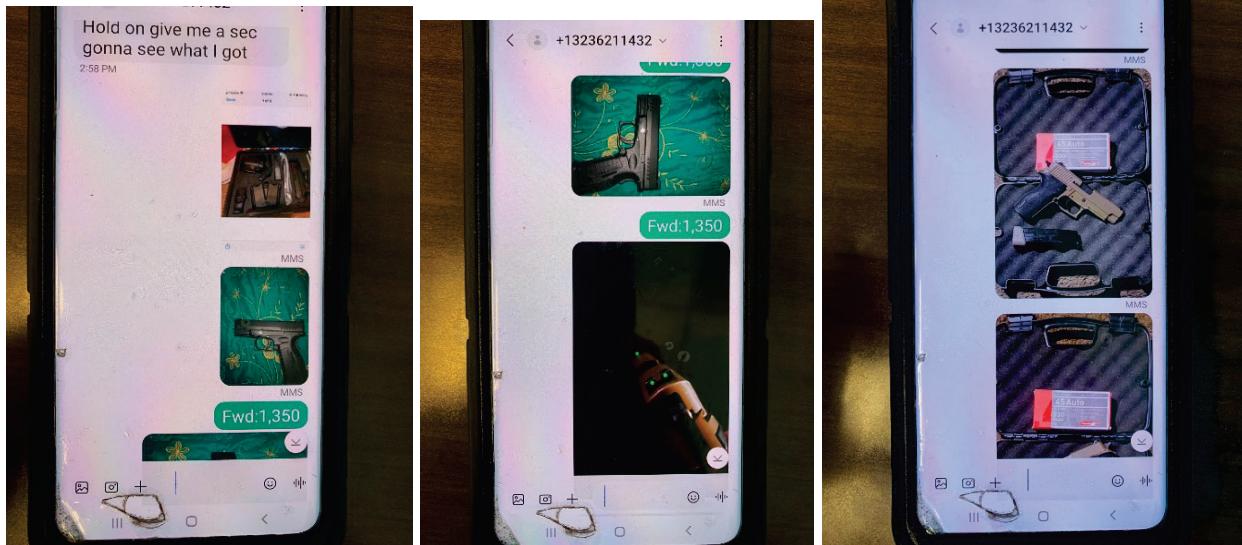
4. The following is a short summary of a text message exchange between PENA and telephone number, 323-621-1432 (File 323.621.1432) or FNU LNU 2. SA Holden conducted a manual search of the device and observed the following conversation between PENA and FNU LNU 2.
  - a. On December 17, 2021, FNU LNU 2 asked “Hey anything on smith & Wesson 40”, “Have you came across one”, PENA replied, “No nothing”. FNU LNU 2 asked, “Anything else”, PENA replied, “Expensive” and sent 2 pictures of a firearm with the caption “1,450”

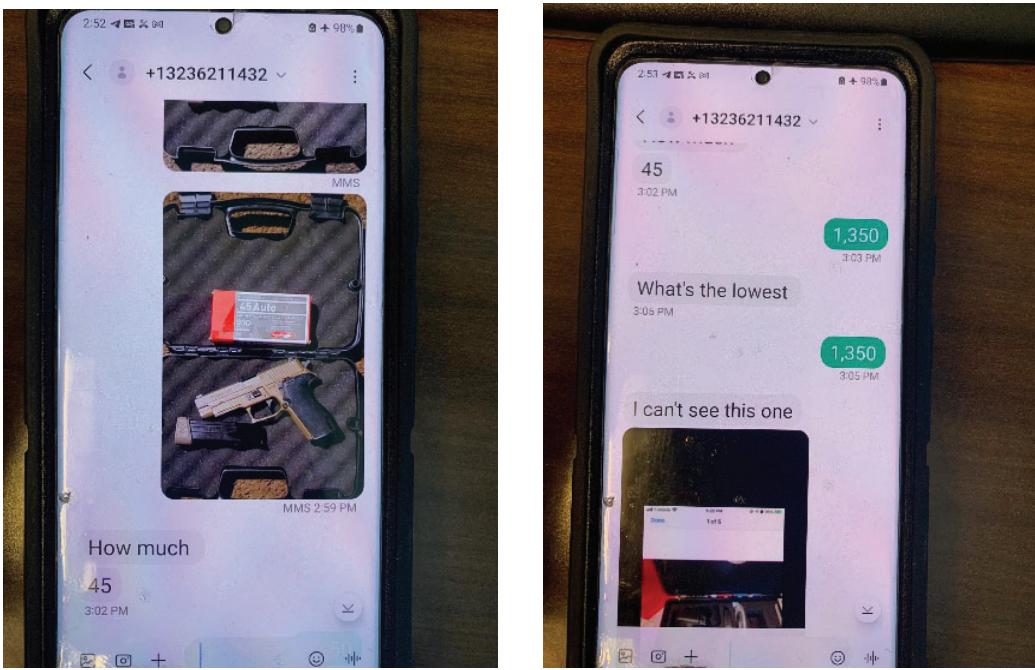


- b. On December 18, 2021, FNU LNU 2 asked “You still have the Glock”, PENA replied, “I have to ask”. FNU LNU 2 stated, “Can you ask”, “And what else you got”. PENA sent a photo of a firearm with the caption, “1,350” and another photo of a firearm with the caption, “1,350”.



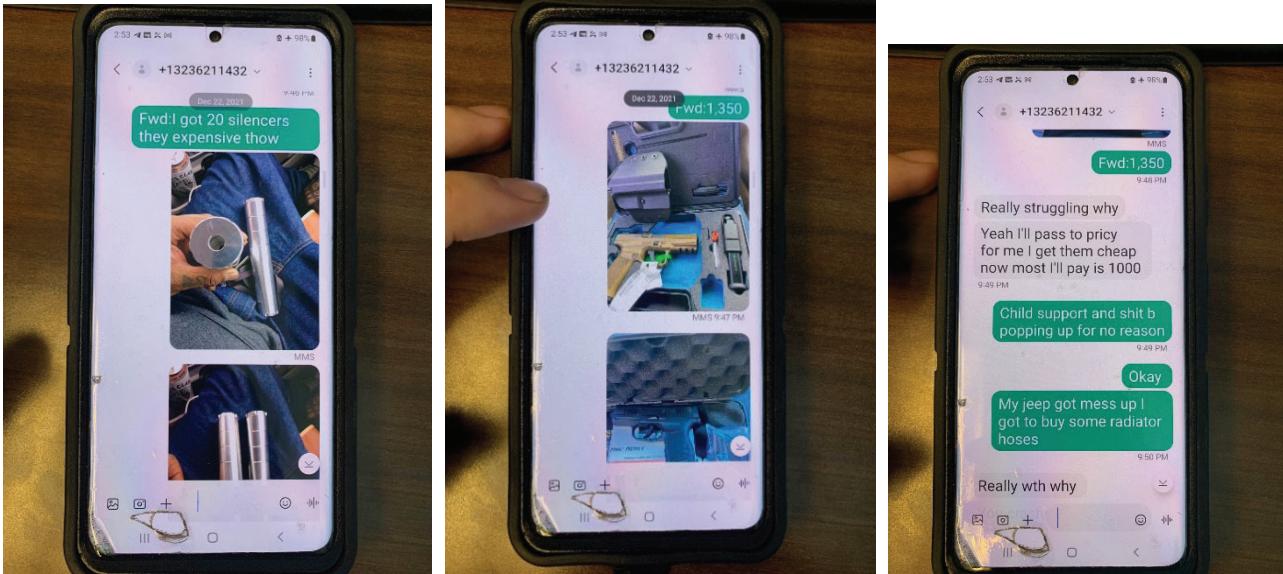
FNU LNU 2 stated, "What else that's it", "Hold on give me a sec gonna see what I got". PENA replied by sending multiple photos of firearms and prices.





FNU LNU 2 stated, “How much”, “45”. PENA replied, “1,350”. FNU LNU 2 asked, “What’s the lowest”. PENA replied, “1,350”.

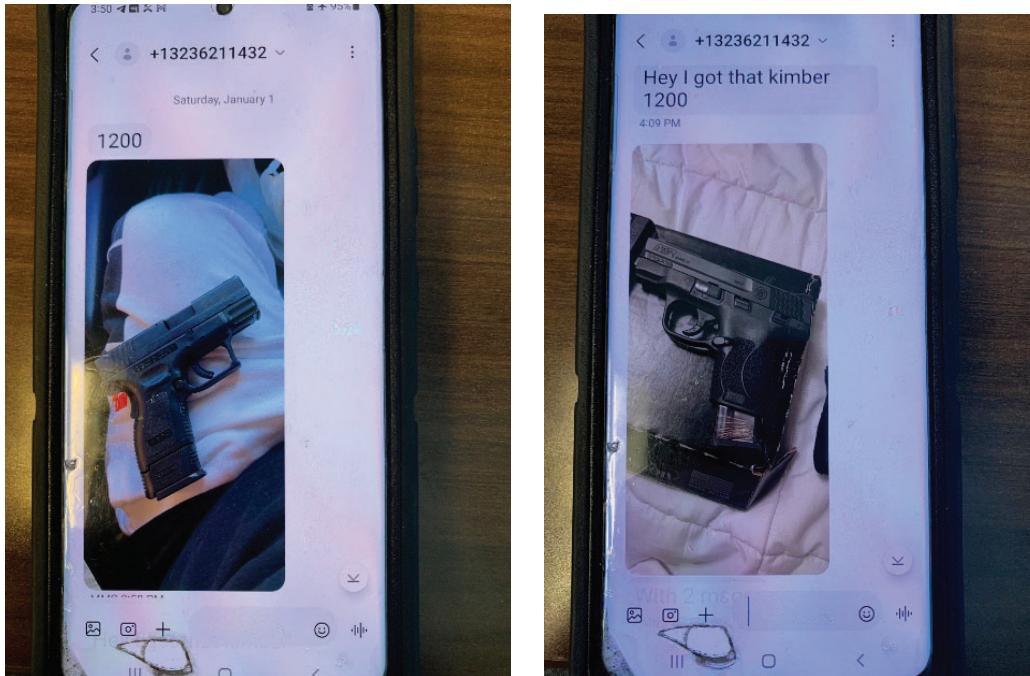
- c. On December 21, 2021, PENA sent FNU LNU 2 pictures of silencers with the caption, “I got 20 silencers they expensive thou”. PENA also sent two pictures of firearms, each with the caption “1,350”.

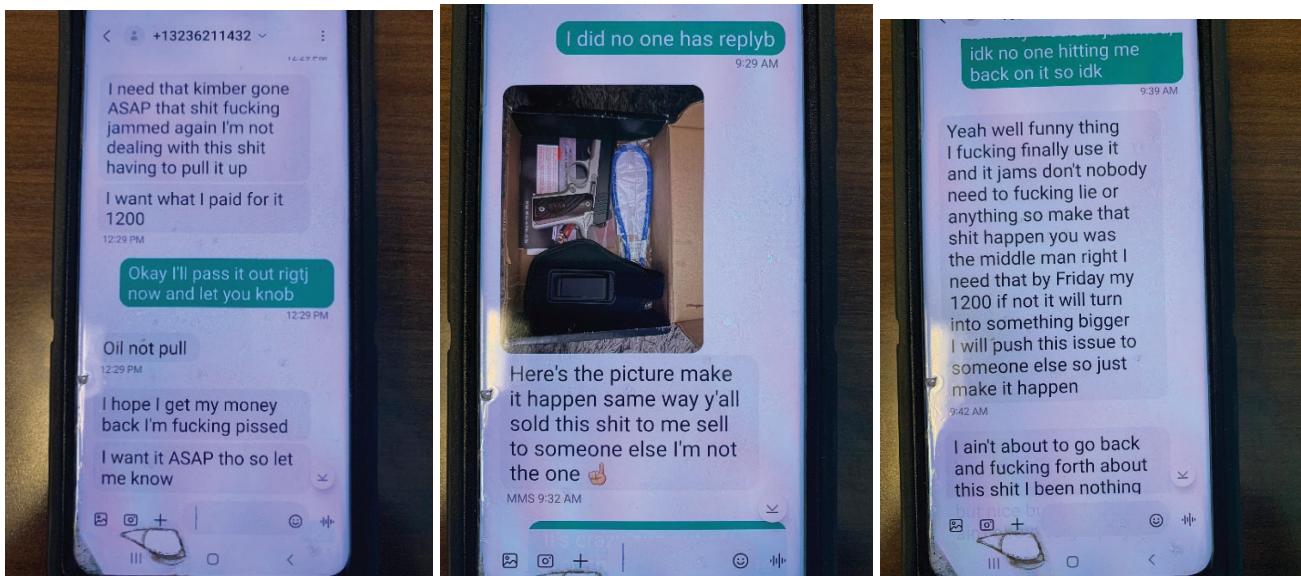
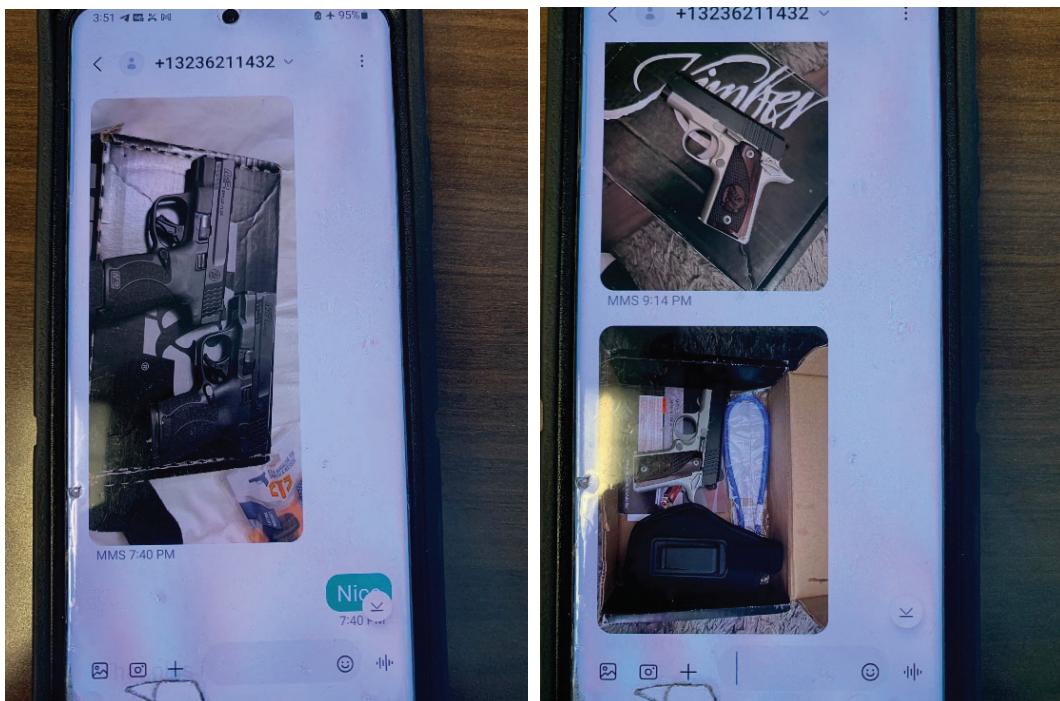


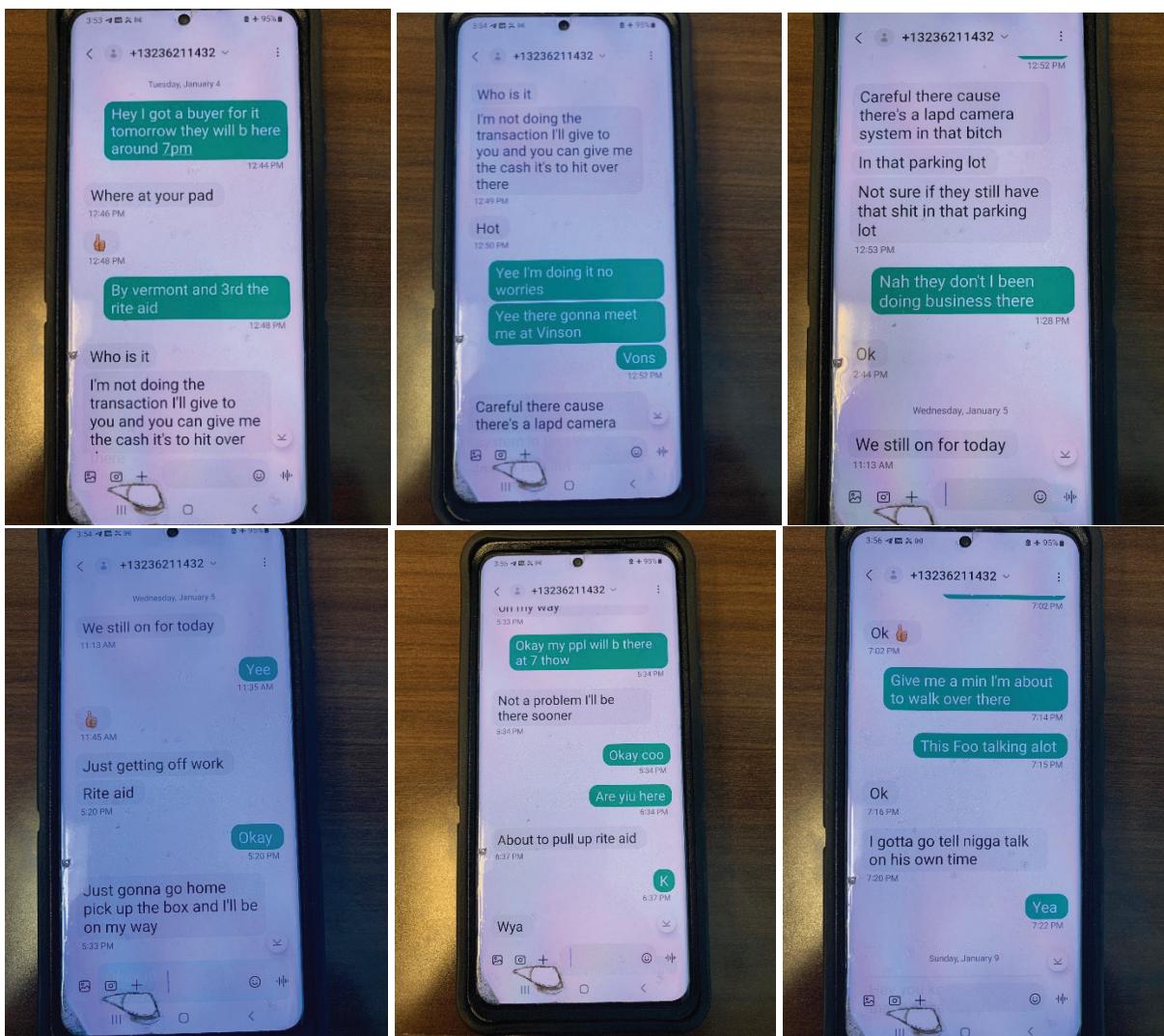
- d. On December 25, 2021, FNU LNU 2 sent a picture of a firearm to PENA and stated, “I got me a new one the plus so no need for this one”, PENA replied, “Okay I’ll pass it around see who buys it”



- e. On January 1, 2022, FNU LNU 2 sent PENA a photo of a firearm with the caption “1200”. FNU LNU 2 stated, “Hey I got that kimber 1200”, and sent additional photos of firearms. FNU LNU 2 and PENA have a conversation about how the Kimber firearm needs to be sold due to the firearm jamming when FNU LNU 2 attempted to fire the Kimber. PENA informs FNU LNU 2 that he has a buyer for the firearm and describes the time and location of the firearm transaction that took place on January 5, 2022 (reference ROI’s 25 and 26 for further details).







5. The following is a short summary of a text message exchange between PENA and telephone number, 213-840-5243 (File Lost) or “Lost”.

- On December 23, 2021 (page 6 of pdf), PENA sent “Lost” two unknown pictures with the caption “1,350” on each. “Lost” replied “I had one just like that but the opposite color”. PENA sent an additional two unknown photographs with the caption, “2,300 each” and “1,350”. PENA stated, “I can get them but he has to atleast get 4 for him to come dwk”.
- On March 24, 2022, (page 12 of pdf) PENA stated, “You got money ? I got toys”. PENA sent an unknown photo with the caption, “g19 1,550”, an unknown photo with the caption, “1,400”, an unknown photo with the caption, “1,800”, an unknown photo with the caption, “6,800”, an unknown photo with the caption, “Comes with 1k rounds and all mags are full”.
- On July 21, 2022, (page 19 of pdf) PENA stated, “I got toys”, “You ready”, “Lost” replied, “Lol shit if I had the founds u know I got u”.

6. The following is a short summary of a text message exchange between PENA and telephone number, 213-2847-8225 (File Joey) or “Joey”.
  - a. On July 15, 2022, (page 1 of pdf) “Joey” asked, “If u know anyone for sale”, PENA replied, “Check your what's app”, “2,800” and sent an unknown photo.
  - b. On July 29, 2022, (page 6 of pdf), PENA sent an unknown photo with the caption “1,150” and an additional photo with the caption “2k”. “Joey” replied, “Bajales”, PENA stated “1,250 each” and sent an unknown photo. PENA stated “It's harder to get them here”, “I'm only making 100 bucks”. “Joey” asked, “Is the pink one clean”, PENA replied, “They all are” and “They coming Friday from Az”.
  - c. On August 3, 2022, (page 18 of pdf) PENA sent an unknown photo with the caption, “1,400 it's a 40”
  - d. On August 3, 2022, (page 28 of pdf) PENA and “Joey” continue to exchange unknown pictures. PENA offers to trade marijuana for the unknown pictures. “Joey” stated he does not smoke, PENA replies, “I got coke or crystal” (Coke is street vernacular for Cocaine and crystal is street vernacular for Methamphetamine).
7. The following is a short summary of a text message exchange between PENA and telephone number, 323-376-4437 (File SIMON New Phone) or “Negro” also known as Ellourth Eladio SIMON (DOB: 12/02/1990 DL: D6119753).
  - a. On March 13, 2022, (page 2 of pdf) PENA stated, “This Foo is on he sending me things”, “G and Kimberly” (Street vernacular for Glock and Kimberly manufactured firearms).
  - b. On March 24, 2022, (page 5 of pdf) PENA sent an unknown photo and stated, “6,500 comes with all mags two drums the mags are full with ammo plus 1k rounds”. PENA sent an unknown photo and stated, “1,600 45 Kimber” (street vernacular for a Kimber .45 Caliber firearm). PENA sent an unknown photo and stated, “1,450 g48” (street vernacular for a Glock 48 firearm). PENA sent an unknown photo and stated, “G19 1,500” (street vernacular for a Glock 19 firearm). PENA sent an unknown photo and stated, “1,450 it's a 12g” (street vernacular for a 12-gauge shotgun). PENA sent an unknown photo and stated, “1,450 g26” (street vernacular for a Glock 26 firearm). PENA sent an unknown photo and stated, “g27 1,450” (street vernacular for a Glock 27 firearm).
  - c. On April 23, 2022, PENA stated, “Check your app”, SIMON replied “I just seen it but I am going to wait because they not out here”, PENA stated, “I kno send it to her to see if they want it cus if not this Foo gonna sale it”.
  - d. On May 23, 2022, PENA stated, “Parce we back on Chicago is full on”. SIMON did not reply.
8. The following is a short summary of a text message exchange between PENA and telephone number, 714-222-5486 (File Hoonie) or “Hoonie”.

- a. On July 6, 2022, (page 4 of pdf) PENA sent “Hoonie” a picture of a firearm with the caption, “1,400”



- b. PENA sent “Hoonie” a picture of a firearm with the caption, “1,100”, “Trying to make money”, and “It’s rough out here”. “Hoonie” stated “Clean” (street vernacular for if the firearm has been used in a crime), PENA replied “Simon”, “They coming from vegas”. “Hoonie” stated, “What’s the best you can do on the Glock”, PENA replied, “Damm I’m only making 100 bucks”, “I’m serious they are up there other ppl sakeing then for 1,600 I’m the cheapest rigth now”. “Hoonie” asked, “What does the XD come with”, PENA replied, “This Foo charging the risk of coming Here he ain’t gonna get a deal if he get busted”. “Hoonie” asked, “2400 for both”, PENA replied, “Foreals thow you not gonna leave me hanging ?”. “Hoonie” stated, “Give me to 4pm”, PENA agreed.

